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KANSAS AFFAIRS.

SPEECH OF HON. HENRY WALDRON, OF MICHIGAN,

IN THE HOUSE OF REPRESENTATIVES,

APRIL 8, 1856,

In Committee of the Whole on the State of the Union.

Mr. WALDRON said :

MR. CHAIRMAN : I do not rise for the purpose of taking part in any discussion, relative to the right or duty of the General Government, as connected with the institution of Slavery. The State that I have the honor in part to represent, has made known her sentiments on that subject too clearly and distinctly, to render any additional testimony necessary in her behalf. Her people have, amid all the changing fortunes of partisan warfare, expressed but one opinion and maintained but one position in vindication of the right of the General Government to prohibit the extension of Slavery ; and I do not deem it necessary now to reaffirm, by words, the convictions that my constituents have so often embodied in their votes.

But I occupy the floor for the purpose of addressing myself to the practical questions that are now before the House—questions that concern the interests of my fellow-citizens on the other side of the Missouri—questions that involve the peace and prosperity of a vast domain; and I leave the discussion of abstract political issues to gentlemen whose tastes and inclinations run in that direction. My business now, as a legislator, is with the residents of Kansas—their troubles and their trials, their wrongs and their grievances. It is to these matters that our attention has been called by a variety of official communications, and they constitute legitimate subjects for our consideration. I shall refer briefly to the origin and nature of these troubles, and then cite precedents in our past history, that justify the immediate admission of Kansas as a free State, as their just and appropriate remedy.

The troubles in the Territory of Kansas were the subject of an Executive communication to this body before it was organized, or in a condition to give it appropriate consideration; and besides that message, there have been other communications to this House, that disclose a state of affairs unknown and unparalleled in the history and experience of a Territory. It is disclosed here, in a memorial duly presented and referred, that the residents of that Territory have been over-

powered by the citizens of an adjoining State—that they have been driven from their polls by violence—that they have been denied their appropriate rights and privileges—that an invading force has placed over them, and in defiance of them, a Legislature that is the creature of usurpation, and to which they owe no fealty. It is further charged, that this assembly of usurpers, chosen by non-residents, has given the form of law to enactments that conflict with the organic act of the Territory, as well as with the Constitution of the Union—enactments that are unworthy of a free people, and a disgrace to an enlightened age—enactments such as no legislators, who were the servants of a free people, would presume to pass, but which are the appropriate instruments of men, who seek to oppress a Territory, and force upon it institutions, that its citizens justly abhor.

And, as the result of this invasion and usurpation, we read, in the memorial of a gentleman who comes here as the agent for the residents of Kansas, that

"The will of men has been already almost entirely substituted for the administration of justice." * * * * * "There seems to be no disposition, on the part of those who have seized upon the legislative power, to put in motion any system of law in the administration of justice. Trespasses, assaults, and murders, are openly committed, and no one thinks of appeal for redress to the law, because from that source no redress can be had."

And the same memorial, as embodied and endorsed in a report of a standing committee of this House, alleges—

"In a word, menace, intimidation, and improper influences, are ripe in the Territory, especially along the border; men's rights are held in no regard; official authority commands no respect, and seems to have no restraining tendency or power; and the peace of the country hangs by a thread."

And, now, how are these questions and embarrassments met by the men who passed and sanctioned the act organizing this identical Territory ? And here allow me for a moment to refer to the legislation that preceded the passage of that act. Two years ago, a solemn compact was in force, that had fixed the character of that Territory, and defined its institutions. It was a compact entered

omist to that of the United States. If, before they had put their Government in motion, they had presented themselves here, and asked admission into the Union—the matter of boundary out of the question—there would have been no difficulty in the case; and if they wished now to become a member of the Union, and are content to come in at the right door, it is probable they will have no difficulty."

But the select committee of the Senate to whom the matter was referred—and which, by the way, was Democratic in its composition, with a Southern Democrat (Felix Grundy) for its chairman—reported a bill providing for the admission of Michigan into the Union, with the Constitution then submitted, and with only one proviso attached to it, viz: that the citizens of Michigan should assent to a change of the boundaries. This was the only modification insisted upon; and this Democratic committee expressly refused to recognise the objections urged on the score of irregular and revolutionary proceedings.

When the bill came up for consideration, Mr. Ewing proposed, as a substitute, a bill which authorized the citizens of the Territory to hold an election for delegates, meet in Convention, frame a Constitution, and send it to Congress for approval; and he urged his substitute upon the Senate, as the only proper and legitimate plan under the circumstances. Mr. Ewing's plan was the same as that now recommended to us by the Executive in the case of Kansas; and let us see what favor it met from a Democratic Senate.

In reply to Mr. Ewing, Mr. Benton said:

"The object of the amendment offered by the Senator from Ohio [Mr. Ewing] was to turn the people of Michigan back, to consider as nothing all that they had done, and to require them to begin anew, under the sanction of an act of Congress, with holding elections, meeting in Convention, framing a Constitution, and sending it on to Congress. This (he said) was the object, and what related to the boundary was subordinate and incidental, which might be considered under the committee's bill as well as under the proposed amendment. The great object was, to turn the people of Michigan back, and make them commence in a regular manner, as it was called, in contradistinction to the irregular, disorderly, and revolutionary manner of conducting themselves, which had been imputed to them."

Mr. B. then entered into an ample vindication of the rights of the people of Michigan and Arkansas to meet in Convention, without a preliminary law from Congress, adopt Constitutions, and send them here for examination. Conventions were original acts of the people. They depended upon inherent and inalienable rights. The people of any State may, at any time, meet in Convention, without law of their Legislature, and without any provision, or against any provision in their Constitution, and may alter or abolish the whole frame of Government, as they pleased. The sovereign power to govern themselves was in the majority, and they could not be divested of it."

Now, Mr. Chairman, listen to the remarks of the champion of Democracy who followed Mr. Benton in that debate, and who is entitled to most respectful hearing from gentlemen on the other side of the Chamber, for it was no less a man than the Hon. James Buchanan, then Senator from Pennsylvania. Hear his comments upon the proposition to turn back the residents of Michigan, as General Pierce now advises us to turn back the people of Kansas:

"He had good reasons for desiring that the bill might be very speedily decided on; and therefore, in what he had to say, he should take up as little of the time of the Senate as possible. The first objection he should consider was the one suggested, rather than insisted on, by the Senator from Delaware; and that was, that no act had

been passed by Congress for the purpose of enabling the people of Michigan to form a State Constitution, in obedience to what had been supposed to be the custom in regard to other States that have been admitted into the Union. Now, was there, he would ask, any reason for passing such an act? Was it required by principle, or was it required by former practice? He utterly denied that it was required either by the one or the other, before a new State may be admitted into the Union; and whether it was given previously or subsequently to the application of a State for admission into the Union, was of no earthly importance. He admitted that the passage of such an act previously to the admission of a new State was the best course to adopt; but, if a people had formed a republican Constitution, and if Congress should think that they had assumed proper boundaries, was there any objection to their admission, whether the preliminary law had been passed or otherwise?"

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Ought they to be offended with the eagerness of the new States for admission into all the rights, privileges, and benefits, of this Union, at a time when some of the old States were threatening to leave it? Ought we not (said he) to hail the coming in of these new States, our own flesh and blood, and, on account of the absence of a little form, not send them dissatisfied from our doors?"

* * * * *

"He did hope that by this bill all objections would be removed; and that this State, so ready to rush into our arms, would not be repudiated, because of the absence of some formalities, which, perhaps, were very proper, but certainly not indispensable."

The gentleman who closed this discussion was Mr. Niles, of Connecticut—a Democrat, who, with honorable consistency, maintains the rights of the residents of Kansas to-day as gallantly as he defended the pioneers of Michigan twenty years ago. In fact, his remarks apply so pertinently to the present case, that it only requires to substitute the word "Kansas" for "Michigan," to make it a capital Free State speech, as will be seen by the following extract:

"Not being able to be admitted in the way they sought, they have been forced to take their own course, and stand upon their rights—rights secured to them by the Constitution, and solemn, irrepealable Ordinance. They have taken the census of the Territory; they have formed a Constitution, elected their officers, and the whole machinery of a State Government is ready to be put in operation; they are only awaiting your action. Having assumed this attitude, they now demand admission as a matter of right—they demand it as an act of justice at your hands. Are they now to be repelled, or to be told that they must retrace their steps, and come into the Union in the way they at first sought to do, but could not obtain the sanction of Congress? Sir, I fear the consequences of such a decision; I tremble at an act of such injustice."

"There is a point beyond which a free people cannot be driven. Why are the people of Michigan to be vexed and harassed in this way? They feel that they are treated harshly—that great injustice is done them; they have been opposed and resisted in every course they have pursued to obtain admission into the Union; and you have now divided their Territory, and taken from them a part of it, to which they attach great value. In these measures of opposition to Michigan, the Senator from Ohio has acted a prominent part. He has succeeded in opposing their former applications, and in keeping them out of the Union; he has carried through a bill to divide their Territory, of the justice or injustice of which I will not speak, but the people of Michigan regard it as an act of great injustice. Will the gentleman still persist in his opposition? Does he wish to drive that people to desperation—to force them into acts of violence? Does he think that, by breaking up what has been done, by creating an excitement, and forcing the people to organize their Government again, the result may be different?—that it may be more favorable to a certain party or portion of the population, which, he insinuates, took no part in the proceedings in organizing the State Government? Whatever may be the object, such a course is fraught with much danger. Let us not presume too much in the forbearance of the people under measures which, in whatever light we may view them, they will regard as unjust and oppressive. Who is willing to be responsible for an act operating on a whole people, with their passions excited and inflamed, and cal-

culated to rekindle the extinguished flames, and to produce evils worse than the border war which has happily subsided? Should the amendment of the Senator prevail, a heavy responsibility will rest somewhere; and I fear as much of it will fall on that honorable Senator as he will find it convenient to bear."

And when the vote was taken on the substitute offered by Mr. Ewing, it received only seven affirmative votes, (page 276, vol. 3,) and among the negative votes I find such names as Mr. Benton, Mr. Buchanan, Mr. King of Alabama, Mr. Grundy, and others of like fame and sentiment—men whose claims to Democracy cannot well be disputed; and the bill providing for admission was ordered to a third reading with only eight votes in the negative; and it was subsequently ordered to a third reading in the House of Representatives by a vote of 153 to 45; and Franklin Pierce, then a Representative from New Hampshire, made one of the one hundred and fifty-three!

And here let me call the attention of the Committee to the decisions of a Democratic House of Representatives, when the application of Michigan was first made to that body. I find, by reference to the Congressional records of that day, that, in January, 1836, a member presented a memorial from the Senate and House of Representatives of the State of Michigan; and this, be it remembered, was months previous to its admission into the Union. It was not a memorial from citizens of the Territory of Michigan—not a memorial from the Territorial Legislature—not a memorial from any Territorial authority known to Congress—but it came from a sovereignty, self-organized and of revolutionary origin, according to modern political ethics, as expounded by the President in his message.

When this memorial was offered, a motion was at once made "*that it be rejected*"; and a few extracts from the speeches on that occasion will best show the reasons why that motion was urged.

Mr. Hannegan, who moved to reject the petition, remarked:

"The memorial purports to come from a power which neither himself nor the House could recognise. If it came from the Territory of Michigan, assuming no powers, he would willingly let it go to the committee. In what situation would this House place itself by accepting this memorial, coming, as it purported, from the sovereign State of Michigan? It would be recognising her right to send her communications here as a sovereign State. If we accept one communication, we must accept all she chooses to send us. There is something in this beyond the mere acceptance of the memorial."

Mr. Bond said:

"The memorial did not purport to come from citizens of the Territory of Michigan, but from the Senate and House of Representatives of the State of Michigan. We ought to take care how we establish precedents of this nature." If the memorial was from the citizens of the Territory of Michigan, he would admit their right to have it referred; but this memorial was not from the citizens of Michigan—it was from the Legislature of a State which had never been recognised by Congress. If there was such a State, it was unknown to the Constitution and laws. Let us, then, be mindful that we make no precedent in this case. Michigan has a Representative on this floor, and any petitions the people may have to present through that Representative he would be ready to receive and refer."

Mr. Pinckney said:

"He would have no objection to the memorial, if it came constitutionally before us. What does it purport to be? A memorial from the Senate and House of Representatives of the State of Michigan. He would ask whether there was any such Legislature known to the House? Is there

any such State admitted into the Union? Can we recognise her as a State? Certainly not. Either she is a Territory or a State? If a State, how comes it that she is represented by a Territorial Delegate in Congress? If she is a Territory, how comes this memorial from a State? Congress would be transcending her powers by receiving the memorial as coming from a State. If we receive this memorial, we need not attempt to treat her as a Territory."

Mr. Kinnard said:

"He felt as ardent an attachment to the right of petition as any other member; he would not surrender, in behalf of his own constituents, its fair and constitutional exercise; and he would not vote to deny the same sacred privilege to any portion of the American people. But, in behalf of his constituents, he claimed the authority to distinguish between the petitions of the people of the Territory of Michigan, and the illegal, unconstitutional demands of the self-styled Senate and House of Representatives of Michigan, particularly, as in the present case, when those demands are not only in contempt of the authority of the Union, in derogation of the independence and vested rights of the State of Indiana, but altogether mischievous and inexpedient."

It would reasonably be expected, after a perusal of the Kansas message, that its author would be found sustaining these gentlemen in their efforts to avoid any recognition of an authority in Michigan, such as he now so earnestly deprecates in the case of Kansas; but the record shows precisely the contrary. Mr. Pierce voted against the motion to reject; and with him voted a large majority of that House. Mr. Hannegan then moved to amend a motion to receive and refer the memorial, by a declaration that the House "regard the same in no other light than as the voluntary act of private individuals," so as to avoid any recognition of a State organization; and this qualifying clause was adopted; but it was adopted with the vote of Franklin Pierce recorded against it. I submit, with these votes on the record, whether the President is not the last man who should arraign the people of Kansas, for their peaceable efforts to secure a Government?

But, to return to the history of the act providing for the admission of Michigan—this act ratified and confirmed the Constitution and State Government, which the people of Michigan had formed for themselves, with only one condition and proviso, to wit: that the people, through a Convention of delegates, elected, especially for that purpose, should assent to the change of boundaries as specified in the act; and, whenever such assent was given, the President of the United States was to announce it by proclamation; and thereupon, and without any further proceeding on the part of Congress, the admission of the State was considered as complete, and her Senators and Representatives were entitled to seats without further delay.

Under the provisions of this act, the Legislature of Michigan called a Convention of delegates, and provided for their election. The election was held, and the Convention met in pursuance of the law, every organized county being represented. This Convention refused to give its assent to the change of boundary, and declined the boon of admission into the Union, on the terms proposed. The official evidence of such "disent" was transmitted by the officers of the Convention to the President, and there, for the time being, the matter rested.

This Convention was held in the month of Sep-

tember; and its refusal to give any assent to the change of boundary was unsatisfactory to a portion of the people. There was a party in favor of giving assent to the terms proposed; and that party demanded another Convention, and determined to hold it. This last Convention assembled in the month of December, not held or elected by virtue of any act of the Territorial or State Legislature, but originating from the people themselves, in pursuance of resolutions adopted in their primary assemblies. Two of the oldest counties in the State, comprising a population of some twenty-five thousand souls, refused to recognise the validity of this December Convention, claiming that it was held without warrant of law, and in defiance of the regular Convention, which had previously expressed the sentiments of the people. There was not a poll opened in either of those counties, although they comprise, in population, one-sixth of the entire number; but this self-constituted Convention was held without any delegates from these counties, and that Convention gave its assent to the terms proposed by Congress, and transmitted to the Executive its proceedings, as a compliance with the act, and as entitling the State to admission.

Now, I refer to these two elections for delegates, because, in some respects, they resemble two elections in the Territory of Kansas, that have been the subject of earnest discussion in this Hall. The September election, like the election that chose Mr. Whitfield, had the benefits that the forms of legal authority confer, and it had the additional merit, that no fraud or violence perverted or disgraced it. The December election, like the election that chose Mr. Reeder, was the spontaneous act of the sovereigns themselves, done without the interposition or assent of the constituted authorities, but with an avowed determination not to recognise their acts. Now, it is important to ascertain which of these elections was regarded by a Democratic Congress as expressing the will of the citizens of Michigan, and what rules they adopted as precedents for our action in this case.

First, what did a Democratic President do with the proceedings of these two conflicting Conventions? Did he presume to endorse one of them as the valid, legitimate Convention under the law, and denounce the other as an "illegal" and "revolutionary" assemblage? Did he make them the occasion of a special message to Congress, in order to justify one Convention at the expense of the other? Not at all. General Jackson met these questions with fairness, with manliness, with dignity—with a desire to mete out substantial justice to the citizens of Michigan. He transmits the proceedings of both Conventions to Congress, and takes occasion to inform it that the first Convention "was elected by the people of Michigan, pursuant to an act of the State Legislature passed on the 25th of July last, in consequence of the above-mentioned act of Congress, and that it declined giving its assent to the fundamental condition prescribed by Congress, and rejected the same."

He further informs it, that the second Convention, that did give assent, "was not held or elect-

ed by virtue of any act of the Territorial or State Legislature; it originated from the people themselves, and was chosen by them in pursuance of resolutions adopted in primary assemblies held in their respective counties;" and then, as indicating his own views as to the propriety of recognising this last Convention, he says that, if its proceedings had reached him during the recess of Congress, he should have issued his proclamation under the law, on being satisfied that they emanated from a Convention of delegates elected, "*in point of fact*," by the people of the State; but, as Congress was in session, he deemed it most appropriate to refer the matter to them.

And it went to the Senate, and the Senate referred it to the Committee on the Judiciary—a Democratic committee, instituted for the express purpose of investigating questions of law; but it raised no such questions on that occasion. Like the Committee of Elections in this House, looking into the Kansas elections, it wanted *facts* with a view to determine which Convention should be recognised as binding and obligatory upon the people of Michigan; and in order to obtain them the chairman (Mr. Grundy) addressed a letter to several citizens of Michigan, asking them for information as to the aggregate vote given in September and December, respectively; and as to the true wishes of the people of Michigan in reference to the acceptance of the terms prescribed. The answers to this communication were sent to the Senate as part of the report; and the committee, concluding, from the facts presented, that the second Convention, with all its irregularities, truly expressed the will of the people, introduced a bill recognising it in preference to the first Convention, held under legislative authority, and admitting Michigan into the Union by virtue of its act.

When this bill was under consideration in the Senate, it was assailed on the same grounds, and for the same reasons, that are resorted to in order to prevent the admission of Kansas with its Free State Constitution.

Mr. Bayard said:

"But it seemed to him that this bill, with its preamble, involved the most monstrous political heresy, which tended, incidentally, to the adoption of a doctrine subversive of all regular government; and entertaining this opinion, as he did, he should vote against the bill. By passing this bill, the Senate would be sanctioning the most obnoxious principle, and would inflict a vital injury on the cause of Freedom. Mr. B. argued that, according to the provisions of the Ordinance of 1787, which regulates the disposition of the Territory northwest of the Ohio, and east of the Mississippi, Michigan had no right to form a Constitution at all, without the leave of Congress."

"He maintained that the Convention, which was held in December last, was not a Convention according to the rightful signification of that word. It was an abuse of the term. If the Senate passed the bill under the present state of facts, they were setting up a most monstrous and atrocious principle. He contended that the first Convention was legally and properly organized, being brought together by an act of the Legislature. The legislative power was the only exponent of the public will."

And Mr. Preston said, in reply to Mr. Bayard:

"The sweeping nullification of the gentleman from Pennsylvania [Mr. Buchanan] goes to the annihilation of the Government of Michigan—to the breaking down of all her solemn charters and engagements."

Mr. Calhoun said:

"He had said that the movement of Michigan was revolutionary; that she threw off the authority of the Union in calling a Convention together and forming a Constitution. In that we were at perfect liberty either to treat it as a revolutionary movement, as it was, in point of fact, or to offer her conditions upon which she might be admitted into the Union. His opinion was, that the thing could be undone that was done; that Michigan could go back to her original position, and that she should come in under the usual form, as did Ohio, Illinois, and Indiana. In other words, that the Government should have leave to erect herself into a State.

"A great question next arose—a question of immense importance: Had the Convention of December a right to assent to the conditions, and did it speak the voice of Michigan? And had Congress a right to recognise its proceedings? It was well known that the Convention, held at Ann Arbor did not represent one-third of the people. All knew, too, that it did not represent the constituted authorities. Now, had Congress a right to admit Michigan upon such proceedings as these? Could any man conceive it to be a Convention of the people of Michigan? No, it was impossible. It was neither more nor less than a caucus, got up by party machinery. It was a criminal caucus. The Convention of December had no right to supersede the acts of the Convention held in September; and he entertained the opinion that those men composing it might be indicted at common law, and, what was more, they ought to be."

It seems, by this extract, that the residents of Kansas are not the first of our fellow-citizens who have been denounced as liable to indictment because they made peaceable efforts to get into the Union. It seems that there were like anathemas hurled at the citizens of Michigan from the Federal Capitol; but my constituents survived them, and, I presume, the citizens of Kansas will be equally as fortunate.

I now turn to the other side of the argument in the Senate of the United States—to the gallant vindication of the citizens of Michigan in reply to the extracts I have quoted above.

Mr. King said:

"But some gentlemen, admitting this, insisted that the proceeding was revolutionary, and that to allow the people, in primary assemblies, 'to set themselves up above the legislative authority,' (to use their own language,) struck at the very foundation of our institutions. This was strange doctrine at the present day. It was the doctrine of the house of Stuart and of Bourbon, of Austria and of Brandenburg. It was the doctrine of the Holy Alliance; it was the doctrine of despotism; it was a doctrine long since exploded, he had thought, by all free Governments, particularly our own; and if he thought there were any material portion of the people of the United States who entertained such doctrines, he should feel as much real alarm as gentlemen had *imagined* they felt at the proposition of the committee. The whole of our institutions, both State and Federal, were based upon this monstrous principle, and had no other right to rest on. The debate had been a most extraordinary one; gentlemen had conjured up frightful pictures, and then got frightened at the works of their own imaginations."

Mr. Buchanan made an elaborate argument in defence of the second Convention; and much of his speech has a direct application to the present condition of Kansas. He says:

"If it were necessary to place the claims of Michigan upon other grounds, it might be done with great force. Suppose we were to admit that their proceedings had been irregular, ought that to exclude her from the Union? On this subject we ought to act like statesmen acquainted with the history of our own country. We ought not to apply the rigid rules of abstract political science too rigorously to *actual cases*. It has been our practice heretofore to treat our infant Territories with parental care, to nurse them with kindness, and, when they had attained the age of manhood, to admit them into the family without requiring from them a rigid adherence to forms. The great questions to be decided are, do they contain a sufficient population? have they adopted a republican Constitution? and are they willing to enter the Union upon the terms which we propose? If so, all the preliminary proceedings have been

considered but mere forms, which we have raised in repeated instances."

And Mr. Benton sums up the merits of the controversy as follows:

"The people there had held a Convention, in their own power, to accept a fundamental condition of their admission into the Union. They have accepted the condition; and the objection is, that the Convention was a lawless and revolutionary mob, and that a law ought to be made to suppress and punish such assemblages in future. Mr. B. would hold a proposition for such a law to be the quintessence, not of European, but of Asiatic despotism; and sure he was it would receive no countenance by the vote of this Chamber. In saying this, he spoke upon a recollection of the past, as well as upon a view of the present. At the last session of Congress, all this denunciation of lawless and revolutionary mobs had been lavished upon the Conventions, both of Arkansas and Michigan, because, being Territories, they had held Conventions, and framed Constitutions, without the authority of Congress. Our answers to these denunciations were the same that we give now, namely: 1. That they had a right to do so without our authority, and all that we could require was, that they should send us their Constitutions, that we might see they were republican; and, 2. That these Territories had several times applied to Congress for an act to regulate the holding of their Conventions, which were always refused by the political party which then held the supremacy in this Chamber; and that to refuse them an act to regulate the holding of a Convention, when they asked for it, and then to denounce them for holding a Convention without law, was unreasonable and contradictory, and subjected ourselves to the reproach both of injustice and inconsistency. These were our answers then; and we added, that those who denounced the Arkansas and Michigan Conventions as lawless and revolutionary mobs, would find themselves unsupported by the vote of the Senate!"

The result of this controversy was the passage of the bill recognising the second Convention as binding Michigan by its assent, and with only ten Senators voting in the negative; while such statesmen as Benton, Buchanan, Silas Wright, Tallmadge, Niles, and William R. King, voted in the affirmative.

The bill then was considered in the House of Representatives, where the same objections and arguments were urged as in the Senate. But the bill was ordered to a third reading by the strong vote of 148 to 58; and a reference to the yeas and nays will show the name of Franklin Pierce recorded in the affirmative.

Yes, sir; the President, who now regards the peaceable elections and Conventions in Kansas as "illegal," and of "revolutionary character," then voted to recognise a Convention that was held confessedly without authority—that only claimed to represent a part of the settlers, and that assumed to speak where the legal Convention had already declared its determination. He voted to make the decisions of that Convention binding on the people of Michigan, in reference to the most important interests that a Convention could ever pass upon; and, having done so, I cannot realize the force of his recommendations in the case of Kansas, when they differ so widely from his own practice in the case of Michigan.

I have thus briefly and hastily referred to the circumstances that characterized the admission of Michigan. She was met, to some extent, by embarrassments and obstacles, but, in despite of them, she fought her way into the Union; and, now that she is there, she is disposed to help Kansas in, with the same free institutions that have been sanctioned in her own experience. And Michigan only regrets that statesmen, who

vindicated her pioneers, and fought their battles in the Capitol, now strike their flag and ground their arm when the interests of Slavery stand in their way. But it is a satisfaction to know that, though man may falter, principles never change. The documents that were enunciated in behalf of the rights of Michigan, are as sound to-day as when mortal man first gave them utterance; and the precedents established in her history will outlive all the shortcomings and inconsistencies of their authors.

Mr Chairman, every reason and every consideration of necessity that justified the admission of Michigan, applies with tenfold force to the case of Kansas, in view of the unprecedented difficulties that surround it, and which can only be obviated by its admission as a free State. And if it be true, as now alleged, that the citizens of Kansas are traitors and revolutionists, then it is equally true, that the citizens of Michigan were traitors and revolutionists, and Franklin Pierce, James Buchanan, and their associates, were apologists and defenders of the treason. I leave to the friends of those gentlemen, to justify and reconcile their record. That is no matter of mine; but it is a part of my duty to deny and repel the aspersions that are cast, by implication, upon the settlers of Michigan; for, when gentlemen attack the Free State men of Kansas, they assail, over their backs, the pioneers of my own State; and, as a citizen of Michigan, regardful of her high fame and unspotted escutcheon in the past, I hurl back all imputations upon her ordering-loving and law-abiding citizens, while I also, as a legislator, ask that the precedents established in her history, may be made the standard of our action in this case; and I make the appeal more especially to gentlemen on the opposite side of the Chamber, as these precedents come down to us with high Democratic sanction and authority. These precedents were made in the palmy, better days of Democracy, before it had degenerated into a mere organization to do the bidding of the slaveholder, and at a time when Northern men were not compelled to outrage sentiment at home by their bids to secure Southern votes.

There are other considerations that induce me to ask for the settlers of Kansas that guardianship and protection which the General Government owes to its citizens. There are many in that Territory who were but lately citizens of my own State—men who have gone there to open a wilderness to prosperity and civilization; men around whom the grateful recollections and kind regards of my constituents still cluster; men who have gone there on a mission as high and holy as that which the Pilgrim Fathers undertook when they shaped their course for the rock of Plymouth; for they go there to plant the institutions of Freedom, and to lay broad and deep the foundations of a free State, where the curse of oppression never shall enter as a blight and a mildew.

These men have breathed the free air of the Northwest from their childhood—they have experienced the blessings that flow from the policy of Slavery prohibition—they have witnessed changes and progress in the Northwest Territory, such as no other section of our Union can boast of—they have, in the space of one generation, seen the wilderness reclaimed and subdued, and, under the genial influences of free institutions, become strong and powerful in all the elements that constitute true national greatness; and they realize that, for this onward career in the pathway of progress, they are indebted mainly to the wisdom and patriotism of the statesmen who enacted the Ordinance of 1787, which made labor honorable, and proved to them a shield and a barrier against the incursions of Slavery. They regard that Ordinance as the corner-stone of their prosperity; and having realized in their own experience these benefits, and appreciating their origin, they naturally demand for themselves and their children the same guarantees of prosperity, in the new homes they make in the wilderness.

For such purposes, and with such motives, have hundreds gone to the Territory of Kansas from my own State, and hundreds more are preparing to follow. They disclaim any intention of invading the rights of others; but they know their own, and will not be slow to maintain them. They go there, not as transient trespassers for an unlawful purpose, but with a determination to cast their lot and link their fortunes with its future destinies. And I assure members of this House, that when the attempt is made to "subdue" them, it will be found that they value life less than the rights of freemen. Of that fact, gentlemen, an incident of the past winter is conclusive evidence; there are now blood-stains on the soil of Kansas, marking the spot where one of its pioneers sacrificed life in defence of his rights—a man from my own district, who took with him qualities and virtues that would render him an acquisition to any land. He was overpowered and murdered by numbers, for no other crime than that he loved Freedom better than Slavery; and his blood, from that day to this, has called in vain upon your officials, for the vengeance of the law. His manly bearing in the hour of conflict was worthy of the cause for which he suffered, and is an earnest of the temper and character of those who follow him. They may be overpowered, but they never surrender; and, when invading forces attempt to wrest from them the right of self-government, or impose upon them institutions against their will, they will meet the issue as becomes men who were born and nurtured amid the institutions of Freedom; and, when aggressions and usurpations present to them the alternatives of slavery or blood, they will fall, like Brown of Leavenworth, with their faces to the foe, and their blood, like the blood of martyrs, will be the seed of Freedom, yielding, in no distant future, a glorious return.



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